

## **MINUTES**

### **MONTANA HOUSE OF REPRESENTATIVES 62nd LEGISLATURE - REGULAR SESSION**

#### **COMMITTEE ON EDUCATION**

**Call to Order:** Chair Scott Reichner, on February 11, 2011 at 3:00 PM, in Room 137  
Capitol

#### **ROLL CALL**

**Members Present:**

Rep. Scott Reichner, Chair (R)  
Rep. Kris Hansen, Vice Chair (R)  
Rep. Edith (Edie) McClafferty, Vice Chair (D)  
Rep. Bryce Bennett (D)  
Rep. Mark Blasdel (R)  
Rep. Joanne G. Blyton (R)  
Rep. Lila Walter Evans (R)  
Rep. Sue Malek (D)  
Rep. Jonathan McNiven (R)  
Rep. Jean Price (D)  
Rep. Daniel R. Salomon (R)  
Rep. Bob Wagner (R)  
Rep. Ted Washburn (R)  
Rep. Franke Wilmer (D)

**Members Excused:** None

**Members Absent:** Rep. Jeffery W. Welborn (R)  
Rep. Christy Clark (R)

**Staff Present:** Marissa Stockton, Committee Secretary  
Dan Whyte, Legislative Services Division

**Audio Committees:** These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

**Committee Business Summary:**

Hearing & Date Posted: HB 420, 2/4/2011; HB 421, 2/4/2011; HB 450, 2/10/2011;  
HB 451, 2/10/2011; HB 452 2/10/2011; HB 453, 2/10,2011

00:00:03 Chairman Reichner

**HEARING ON HB 420**

**Opening Statement by Sponsor:**

00:00:55 Rep. Sue Malek (D), HD 98, opened the hearing on HB 420, Revise laws regarding state work study.

00:03:25 Chairman Reichner

**Proponents' Testimony:**

00:03:53 Bruce Marks, Office of the Commissioner of Higher Education (OCHE)

00:04:51 Chairman Reichner

00:05:28 Valerie Lambert, University of Montana-Helena (UofM-Helena)

00:06:42 Terese Eller, Student, UofM-Helena

00:08:04 Janet Riis, Carroll College

00:09:04 Janelle Booth, Montana Associated Students (MAS)

**Opponents' Testimony:** None

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:09:50 Rep. Wagner

00:10:17 Valerie Lambert, UofM-Helena

00:10:37 Rep. Wagner

00:10:58 Valerie Lambert, UofM-Helena

00:11:56 Rep. Wagner

00:12:30 Valerie Lambert, UofM-Helena

00:13:27 Rep. Wagner

00:13:42 Rep. McNiven

00:13:59 Valerie Lambert, UofM Helena

00:14:45 Chairman Reichner

**Closing by Sponsor:**

00:14:54 Rep. Malek

00:16:35 Chairman Reichner

**HEARING ON HB 421**

**Opening Statement by Sponsor:**

00:16:46 Rep. Sue Malek (D), HD 98, opened the hearing on HB 421, Expand provider types for adult basic education.

**EXHIBIT(edh34a01)**

00:19:00 Chairman Reichner

00:19:13 Rep. Hansen

00:19:25 Rep. Malek

**Proponents' Testimony:**

00:21:00 Steve York, Office of Public Instruction (OPI)

00:24:03 Chairman Reichner

**Opponents' Testimony:**

00:24:14 Cyndi Forbes

00:25:25 Chairman Reichner

00:25:31 Elaine Herman, Montana Eagle Forum

00:26:15 Chairman Reichner

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

00:26:36 Rep. McNiven

00:26:41 Chairman Reichner

00:26:46 Rep. McNiven

00:27:13 Steve York, OPI

00:28:59 Chairman Reichner

00:29:02 Rep. Blyton

00:29:31 Steve York, OPI

00:30:25 Chairman Reichner

00:30:28 Rep. Wagner

00:30:47 Steve York, OPI

00:31:45 Rep. Wagner

00:31:59 Steve York, OPI

00:33:25 Rep. Wagner

00:33:38 Steve York, OPI

00:34:27 Rep. Blasdel left.

00:34:46 Rep. Hansen

00:34:54 Steve York, OPI

00:35:27 Rep. Hansen

00:35:50 Steve York, OPI

00:36:46 Rep. Wagner

00:36:58 Steve York, OPI

00:37:34 Rep. Wagner  
00:37:47 Steve York, OPI  
00:37:49 Rep. Wagner  
00:38:02 Steve York, OPI  
00:38:36 Chairman Reichner  
00:38:40 Rep. Blyton  
00:38:48 Chairman Reichner  
00:38:50 Rep. Blyton  
00:39:08 Chairman Reichner  
00:39:09 Rep. Malek  
00:39:18 Chairman Reichner

**Closing by Sponsor:**

00:39:20 Rep. Malek  
00:40:16 Chairman Reichner

**HEARING ON HB 452**

**Opening Statement by Sponsor:**

00:41:31 Rep. James Knox (R), HD 47, opened the hearing on HB 452, Elect Board of Regents.

**Proponents' Testimony:**

00:43:06 Barbara Rush  
00:43:44 Elaine Herman, Montana Eagle Forum  
00:44:24 Chairman Reichner  
00:44:29 Becky Stockton  
00:45:15 Chairman Reichner  
00:45:44 Shirley Herrin  
00:46:07 Chairman Reichner  
00:46:11 Cyndi Forbes  
00:46:48 Chairman Reichner  
00:47:08 Phyllis Lamping  
00:47:21 Pat McCain  
00:47:57 Chairman Reichner  
00:48:01 Lisa Wamsley

**Opponents' Testimony:**

00:49:18 Sheila Sterns, Commissioner of Higher Education  
[EXHIBIT\(edh34a02\)](#)  
[EXHIBIT\(edh34a03\)](#)  
00:52:57 Rep. Blasdel returned  
00:55:08 Chairman Reichner  
00:55:14 Steve Meloy, Board of Public Education (BPE)  
00:56:06 Chairman Reichner

00:56:13 Eric Feaver, Montana Association of Teachers-Montana Federation of Teachers (MEA-MFT)

**EXHIBIT(edh34a04)**

01:02:53 Chairman Reichner  
 01:03:00 Dennis Parman, OPI  
 01:04:00 Chairman Reichner  
 01:04:09 Darrell Rud, Executive Director, School Administrators of Montana (SAM)  
 01:05:21 Chairman Reichner  
 01:05:28 Dan Villa, Education Advisor to the Governor  
 01:05:50 Chairman Reichner  
 01:05:54 Dan Villa  
 01:06:47 Chairman Reichner  
 01:06:53 Dan Villa  
 01:07:08 Chairman Reichner  
 01:07:24 Dan Villa  
 01:09:20 Chairman Reichner

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

01:09:36 Rep. McClafferty  
 01:09:46 Rep. Knox  
 01:09:48 Rep. McClafferty  
 01:10:06 Rep. Knox  
 01:10:42 Rep. McClafferty  
 01:10:53 Rep. Knox  
 01:11:01 Rep. McClafferty  
 01:11:09 Chairman Reichner  
 01:11:21 Steve Meloy, BPE  
 01:11:30 Rep. McClafferty  
 01:11:57 Steve Meloy, BPE  
 01:12:28 Chairman Reichner  
 01:12:30 Rep. Bennett  
 01:13:05 Rep. Knox  
 01:13:52 Rep. Bennett  
 01:14:19 Rep. McClafferty left.  
 01:14:35 Rep. Knox  
 01:15:11 Chairman Reichner  
 01:15:16 Rep. Hansen (Point of Order)  
 01:15:45 Chairman Reichner  
 01:15:53 Rep. Malek  
 01:16:17 Chairman Reichner  
 01:16:22 Rep. McNiven (Point of Order)  
 01:17:10 Chairman Reichner

**Closing by Sponsor:**

01:17:19 Rep. Knox

01:18:10 Rep. Malek left.  
01:19:18 Chairman Reichner  
01:21:24 Rep. Knox  
01:21:31 Dan Whyte, Legislative Services Division  
01:23:55 Chairman Reichner

### **HEARING ON HB 451**

#### **Opening Statement by Sponsor:**

01:24:26 Rep. James Knox (R), HD 47, opened the hearing on HB 451, Elect board of regents.

#### **Proponents' Testimony:**

01:26:21 Elaine Herman, Montana Eagle Forum  
01:26:29 Barbara Rush  
01:26:46 Becky Stockton  
01:27:09 Shirley Herrin  
01:27:23 Phyllis Lamping  
01:27:34 Rep. McClafferty returned.  
01:27:35 Lisa Wamsley  
01:27:49 Pat McCain  
01:28:04 Cyndi Forbes  
01:28:18 Jon Rush

#### **Opponents' Testimony:**

01:30:47 Sheila Sterns, OCHE  
01:30:53 Steve Meloy, BPE  
01:31:54 Rep. Malek returned.  
01:31:56 Eric Feaver, MEA-MFT  
01:32:26 Dennis Parman, OPI

#### **Informational Testimony:** None

#### **Questions from Committee Members and Responses:**

01:32:56 Rep. Bennett  
01:33:18 Rep. Knox  
01:33:27 Rep. Wilmer  
01:33:40 Chairman Reichner  
01:33:49 Pat McCain  
01:34:25 Chairman Reichner  
01:34:37 Pat McCain  
01:35:00 Rep. Wilmer  
01:35:32 Pat McCain  
01:36:57 Chairman Reichner  
01:37:24 Rep. Wilmer  
01:37:35 Rep. Knox

01:38:31 Rep. Wilmer  
01:38:43 Chairman Reichner  
01:38:45 Rep. Wilmer  
01:39:23 Eric Feaver, MEA-MFT  
01:39:37 Rep. Blasdel left.  
01:41:53 Rep. Evans left.  
01:42:27 Chairman Reichner  
01:42:31 Rep. Blyton  
01:43:06 Rep. Knox  
01:43:56 Rep. Malek  
01:44:23 Sheila Sterns, OCHE  
01:44:47 Rep. Evans returned.  
01:45:53 Rep. Welborn arrived.  
01:46:00 Rep. Malek  
01:46:40 Sheila Sterns, OCHE  
01:47:32 Chairman Reichner

**Closing by Sponsor:**

01:47:38 Rep. Knox  
01:48:06 Chairman Reichner

**HEARING ON HB 453**

**Opening Statement by Sponsor:**

01:48:28 Rep. James Knox (R), HD 47, opened the hearing on HB 453, Elect the Board of Public Education.

**Proponents' Testimony:**

01:49:18 Chairman Reichner  
01:49:31 Elaine Herman, Eagle Forum  
01:49:43 Barbara Rush  
01:49:56 Shirley Herrin  
01:50:02 Rep. Wagner left.  
01:50:15 Pat McCain  
01:50:33 Chairman Reichner  
01:51:01 Pat McCain  
01:52:01 Chairman Reichner  
01:52:06 Lisa Wamsley  
01:53:13 Rep. Bennett left.  
01:53:47 Chairman Reichner  
01:53:51 Becky Stockton  
01:54:02 Chairman Reichner  
01:54:09 Phyllis Lamping

**Opponents' Testimony:**

01:54:28 Steve Meloy, BPE  
01:54:35 Chairman Reichner  
01:54:39 Eric Feaver, MEA-MFT  
01:56:29 Chairman Reichner  
01:56:35 Dennis Parman, OPI  
01:58:20 Chairman Reichner  
01:58:24 Darrel Rud, SAM  
01:59:08 Rep. Bennett returned.  
02:01:25 Rep. Welborn left.  
02:01:42 Chairman Reichner  
02:01:47 Sheila Sterns, OCHE  
02:02:46 Chairman Reichner  
02:02:53 Randy Morris  
02:07:46 Chairman Reichner

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:08:15 Rep. Price  
02:08:42 Rep. Knox  
02:09:07 Chairman Reichner  
02:09:15 Rep. Wilmer  
02:09:44 Elaine Herman, Eagle Forum  
02:10:14 Rep. Wilmer  
02:10:36 Chairman Reichner  
02:11:08 Elaine Herman, Eagle Forum  
02:11:17 Rep. Reichner

**Closing by Sponsor:**

02:11:32 Rep. Knox  
02:12:08 Chairman Reichner

**HEARING ON HB 450****Opening Statement by Sponsor:**

02:12:28 Rep. James Knox (R), HD 47, opened the hearing on HB 450, Elect board of public education.

**Proponents' Testimony:**

02:13:42 Chairman Reichner  
02:13:50 Elaine Herman, Eagle Forum



02:18:08 Chairman Reichner

02:18:14 Barbara Rush

**EXHIBIT(edh34a05)**

02:20:20 Pat McCain

02:20:44 Lisa Wamsley

02:21:34 Becky Stockton

02:21:58 Shirley Herrin

02:22:09 Phyllis Lamping

**Opponents' Testimony:**

02:22:34 Chairman Reichner

02:22:41 Steve Meloy, BPE

02:23:33 Rep. Blasdel returned.

02:25:48 Chairman Reichner

02:25:55 Eric Feaver, MEA-MFT

02:26:21 Chairman Reichner

02:26:23 Eric Feaver, MEA-MFT

02:27:14 Darrell Rud, SAM

02:27:27 Sheila Sterns, OCHE

02:27:35 Randy Morris

**Informational Testimony:** None

**Questions from Committee Members and Responses:**

02:28:07 Chairman Reichner

02:28:55 Rep. Knox

02:29:47 Chairman Reichner

02:30:08 Rep. Knox

**Closing by Sponsor:**

02:30:21 Rep. Knox

02:32:38 Chairman Reichner

02:32:53 Rep. Malek (Point of Personal Privilege)

02:33:49 Chairman Reichner

02:33:54 Rep. Hansen

02:34:40 Rep. Malek

02:35:30 Chairman Reichner

**ADJOURNMENT**

Adjournment: 02:37:15

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Marissa Stockton, Secretary

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Additional Documents:

**EXHIBIT**([edh34aad.pdf](#))